

**DEPARTMENT OF TRANSPORTATION****DISTRICT 3**

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September 10, 2010

Mr. Douglas F. Smith  
California Regional Water Quality Control Board  
Lahontan Region  
2501 Lake Tahoe Boulevard  
South Lake Tahoe, CA 96150

Dear Mr. Smith:

Re: Comments on the Lake Tahoe Watershed Sediment and Nutrient TMDL and Basin Plan Amendment

The California Department of Transportation (Caltrans) appreciates the opportunity to comment on the Proposed Amendments to the Water Quality Control Plan for the Lahontan Region, including the draft Lake Tahoe Lake Clarity Total Maximum Daily Load (TMDL) for Sediment and Nutrients. Caltrans supports the Lahontan Regional Water Quality Control Board's (Water Board's) efforts to improve the water quality in Lake Tahoe and has taken steps to reduce its impact in the Lake Tahoe watershed. Over the past several years, Caltrans has actively coordinated with other stakeholders in the development of the TMDL and supports the adaptive implementation approach of the TMDL.

The Lake Tahoe TMDL requires substantial outlay of resources in order to comply with the load reduction and crediting requirements. In addition, objective assessment of TMDL compliance is a concern for several reasons. First, Caltrans has significant concerns with the accuracy of the crediting tools being developed by the Water Board. These may require significant adjustments to accurately simulate watershed conditions and estimate loading to the lake. Second, Caltrans is included with "Urban Upland" and has not been assigned a specific waste load allocation. Caltrans will need to prioritize stormwater mitigation needs and work with the State Board, Regional Board, and other stakeholders to explore alternative compliance strategies to supplement capital construction (treatment retrofit) so that compliance with the NPDES Permit and TMDLs can be achieved. The adaptive implementation approach of the TMDL must be integrated in a way to allow the stakeholders to explore these different strategies while staying compliant with the TMDL requirements.

The proposed changes to the existing basin plan language include removal of the discussion of effluent limitations, including numerical standards, from pages 5.6-1 to 5.6-2. We expect the effluent limitation requirements that will be removed from the basin plan will also be removed from the

pending Caltrans Statewide NPDES permit. Caltrans anticipates receiving a second-term statewide NPDES permit renewal, and the current statewide permit (Order 99-06-DWQ) does not include requirements for compliance with the TMDL. Caltrans requests the Water Board ensure consistency between the TMDL requirements and the Caltrans permit.

For the past ten years, Caltrans has dedicated resources and participated on the Lake Tahoe Capital (Environmental) Improvement Program (CIP or EIP). Caltrans has implemented many structural and non-structural BMPs since the baseline period of 2002 to 2004. Caltrans also performs maintenance and has modified other practices since this baseline period to reduce the potential for pollutants to be discharged from its facilities. We have reduced the amount of traction sand applied to roadways and increased the amount of sand recovered through improved sweeping, and have worked to improve the quality of traction sand to lessen potential discharge of particles and constituents that impact lake clarity to date. Caltrans has installed five (5) detention basins, 50 infiltration devices, and 136 traction sand traps in the Lake Tahoe watershed since the baseline period. We have also assessed our roadway system to determine areas where roadway runoff does not reach receiving waters by virtue of the sheet flow condition. Collectively, these actions constitute compliance with the requirements of our NPDES permit. It is critical that the crediting tools developed by the Water Board allow the flexibility to account for the load reductions from these activities. The Caltrans NPDES Permit Order No. 99-06-DWQ, Provision L.4 states:

All Caltrans facilities within the Lake Tahoe Hydrologic Unit must be retrofitted to comply with this requirement by the year 2008. If site conditions do not allow for adequate on site disposal, all site runoff must be treated to meet applicable Effluent Limits and/or Receiving Water Limitations specified in the Basin Plan.

Caltrans shall continue to participate in the Capital Improvement Program (CIP), as described in Volume IV of the CWA Section 208 Water Quality Management Plan (208 Plan). The purpose of the CIP is to identify projects, develop an implementation program, and develop a funding mechanism for storm water runoff and erosion control projects in the Lake Tahoe Hydrologic Unit.

In addition, Tables 5.18-2 through 5.18-4 of the proposed new Basin Plan subsection (Subsection 5.18: Lake Tahoe TMDL for Sediment and Nutrients) establish the schedules of reductions that are required to meet the TMDL. The reductions are based on the estimated loads from the Lake Tahoe Watershed Water Quality Model. Caltrans submitted a comment letter on the water quality model to the Regional Water Board on May 3, 2010 that expressed various concerns with the model load estimates. Major concerns include:

1. The accuracy of the assumptions used in the watershed model for the particle size distribution, event mean, and runoff concentrations;
2. The accuracy of the sediment-particle converter equations used to convert fine sediment mass to particle numbers;
3. The linkage of runoff to streams that assumes that all Caltrans runoff discharges directly into Lake Tahoe; and
4. The estimates of Caltrans drainage area and the portion that is composed of impervious land.



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The Water Board should schedule reassessment milestones in the implementation plan to allow for readjustment of these load reduction requirements as the understanding of the actual loads discharged from different jurisdictions and sources improves.

We hope our comments are helpful. If you have any questions, please call me at (530) 741-4233, or the Chief Environmental Engineer, Scott McGowen at (916) 653-4446.

Sincerely,

A handwritten signature in blue ink that reads "Jody Jones".

JODY JONES  
District 3 Director

A handwritten signature in blue ink that reads "G. Scott McGowen".

G. SCOTT MCGOWEN, P.E.  
Chief Environmental Engineer  
Division of Environmental Analysis